

AN ORDINANCE **100337**

**AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH DANIEL GONZALES D/B/A FIESTA CUTOUTS FOR USE OF 228 SQUARE FEET OF RETAIL SPACE IN FARMERS MARKET PLAZA AT MARKET SQUARE IN CITY COUNCIL DISTRICT 1 FOR A FOUR-YEAR AND EIGHT MONTH TERM, WHICH COMMENCED ON JANUARY 1, 2005 AND WHICH WILL EXPIRE ON AUGUST 31, 2009, AT AN INITIAL RENT OF \$4,500.00 PER YEAR AND INCREASING TO \$7,800.00 PER YEAR IN 2009.**

\* \* \* \*

**WHEREAS**, it is the long-standing policy of the City of San Antonio to lease public property at the Farmers Market Plaza in Market Square for retail sales purposes, under regulations established in Chapter 32, Article II of the City Code of the City of San Antonio; and

**WHEREAS**, the building has 26 store stall spaces with full size store stalls (228 square feet) and with half size store stalls (114 square feet) and the City leases these spaces to tenants who have small businesses that cater to the tourist industry; and

**WHEREAS**, store stall S-14 was vacated by a former tenant after giving thirty days notice to terminate his lease under the lease agreement; and

**WHEREAS**, a lottery system of eligible and in good standing half size store stall tenants is used to select new tenants to fill vacant locations, and, pursuant to this process, Mr. Gonzales was selected to move from his half size store stall S-11 to the full size store stall S-14; and

**WHEREAS**, Mr. Gonzales will be allowed to complete the balance of the lease term for store stall S-14, beginning January 1, 2005 and ending on August 31, 2009; **NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**Section 1.** The Interim City Manager, or his designee, is hereby authorized to execute a standard form Farmer's Market Plaza Store Stall Lease Agreement with Daniel Gonzales dba Fiesta Cutouts for approximately 228 square feet of retail space in Farmers Market Plaza at Market Square for a four-year and eight month term at an initial rent of \$4,500.00 per year and increasing to \$7,800.00 per year in 2009. A copy of said Lease Agreement is affixed hereto and incorporated herein for all purposes as Attachment I.

**Section 2.** The proceeds of this agreement shall be deposited into Fund Center

2604040000, Internal Order 226000000016 entitled "Farmer's Market" and the General Ledger Account 4407930 entitled "C&R -Other Rental Income".

**Section 3.** This ordinance shall become effective on and after February 6, 2005.

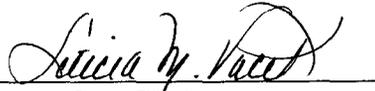
PASSED AND APPROVED this 27<sup>th</sup> day of January, 2005.



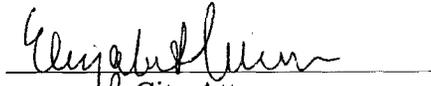
M A Y O R

EDWARD D. GARZA

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney